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Information and Notices

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I

(Information)

COMMISSION

ECU (*) — EUROPEAN UNIT OF ACCOUNT (²)

4 March 1980

Currency amount for one unit:

Belgian and Luxembourg franc	40.5815	Swiss franc	2.39832
German mark	2.49781	Spanish peseta	94.4192
Dutch guilder	2.74864	Swedish krona	5.94359
Pound sterling	0.625718	Norwegian krone	6.92730
Danish krone	7.79470	Canadian dollar	1.60126
French franc	5.85951	Portuguese escudo	67.8507
Italian lira	1158.87	Austrian schilling	17.8525
Irish pound	0.676300	Finnish markka	5.30250
United States dollar	1.40129	Japanese yen	345.139
		Greek drachma	55.4871

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the EUA;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

(¹) Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1).

(²) Council Decision 75/250/EEC of 21 April 1975 (Convention of Lomé) (OJ No L 104, 24. 4. 1975, p. 35).

Commission Decision No 3289/75/ECSC of 18 December 1975 (OJ No L 327, 19. 12. 1975, p. 4).

Decisions of the Council of Governors of the European Investment Bank of 18 March 1975 and of 30 December 1977.

Financial Regulation of 21 December 1977 concerning the general budget of the European Communities (OJ No L 356, 31. 12. 1977, p. 1).

COURT OF JUSTICE

JUDGMENT OF THE COURT

(First Chamber)

of 7 February 1980 in Case 43/79: **Tito Mencarelli v. Commission of the European Communities** (1)

(Language of the Case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases Before the Court)

In Case 43/79: Tito Mencarelli (Counsel: Victor Biel) against Commission of the European Communities (Agent: Alain Van Solinge, assisted by Daniel Jacobs) — application in essence for the annulment of the implied decision rejecting a complaint submitted by the applicant on 28 August 1978 under Article 90 of the Staff Regulations of officials concerning his entitlement to the doubled maximum of the education allowance provided for in Article 3 of Annex VII to the Staff Regulations — the Court (First Chamber), composed of A. O'Keefe, President, G. Bosco and T. Koopmans, Judges; H. Mayras, Advocate General; J. Pompe, Deputy Registrar, gave a judgment on 7 February 1980, the operative part of which is as follows:

1. *The applicant shall receive reimbursement of the 'actual education costs' including the cost of accommodation for his daughter at the Institut de l'Enfant Jésus up to an amount equal to the doubled maximum provided for in Article 3 of Annex VII to the Staff Regulations of officials.*
2. *The Commission is ordered to pay the costs.*

(1) OJ No C 107, 28. 4. 1979.

Action brought on 31 January 1980 by the Commission of the European Communities against the Grand Duchy of Luxembourg

(Case 38/80)

An action against the Grand Duchy of Luxembourg was brought before the Court of Justice of the European Communities on 31 January 1980 by the Commission of the European Communities, represented by its Legal Adviser, Etienne Lasnet acting as Agent, with an address for service in Luxembourg at the office of its Legal Adviser, Mario Cervino, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by not having brought into force within the period specified the provisions necessary to comply with Council Directive 76/767/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them the Grand Duchy of Luxembourg has failed to fulfil an obligation under the Treaty.
2. Order the Grand Duchy of Luxembourg to pay the costs.

Submissions and principal arguments relied upon:

Article 189 of the EEC Treaty, under which a directive shall be binding, as to the result to be achieved, upon each Member State, carries by implication an obligation on the Member States to observe the period for compliance laid down in the directive. That period expired on 30 January 1978 without the Grand Duchy of Luxembourg's having enacted the provisions necessary to comply with the directive referred to in the conclusions of the Commission.

**Action brought on 31 January 1980 by the Commission of the European Communities
against the French Republic**

(Case 39/80)

An action against the French Republic was brought before the Court of Justice of the European Communities on 31 January 1980 by the Commission of the European Communities, represented by its Legal Adviser, Etienne Lasnet, acting as Agent, with an address for service in Luxembourg at the office of its Legal Adviser, Mario Cervino, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by not having brought into force within the period specified the provisions necessary to comply with Council Directive 76/889/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment and with Council Directive 76/890/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters the French Republic has failed to fulfil an obligation under the Treaty.
2. Order the French Republic to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80. The periods for compliance expired on 9 May 1978.

**Action brought on 31 January 1980 by the Commission of the European Communities
against the French Republic**

(Case 40/80)

An action against the French Republic was brought before the Court of Justice of the European Communities on 31 January 1980 by the Commission of the European Communities, represented by its Legal Adviser, Etienne Lasnet, acting as Agent, with an address for service in Luxembourg at the office of its Legal Adviser, Mario Cervino, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by not having brought into force within the period specified the provisions necessary to comply with Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers and with Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers the French Republic has failed to fulfil an obligation under the Treaty.
2. Order the French Republic to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80. The periods for compliance expired on 19 December 1977.

**Action brought on 1 February 1980 by the Commission of the European Communities
against the Italian Republic**

(Case 41/80)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 1 February 1980 by the Commission of the European Communities, represented by Gian Piero Alessi, Advocate, a member of its own Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Mario Cervino, Legal Adviser to the Commission, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by failing to adopt, within the period laid down, the measures necessary to comply with either Council Directive 76/889/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment or Council Directive 76/890/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters, the Italian Republic has failed to fulfil an obligation incumbent upon it under the Treaty;
2. Order the defendant to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the period for compliance expired on 9 May 1978.

**Action brought on 1 February 1980 by the Commission of the European Communities
against the Italian Republic**

(Case 42/80)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 1 February 1980 by the Commission of the European Communities, represented by Gian Piero Alessi, Advocate, a member of its own Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Mario Cervino, Legal Adviser to the Commission, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by failing to adopt, within the period laid down, the measures necessary to comply with Council Directive 73/361/EEC of 19 November 1973 and Commission Directive 76/434/EEC of 13 April 1976 on the approximation of the laws of the Member States relating to certification and marking of wire-ropes, chains and hooks, the Italian Republic has failed to fulfil an obligation incumbent upon it under the Treaty;
2. Order the defendant to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the periods for compliance expired on 21 May 1975 and 13 January 1977 respectively.

**Action brought on 1 February 1980 by the Commission of the European Communities
against the Italian Republic**

(Case 43/80)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 1 February 1980 by the Commission of the European Communities, represented by Gian Piero Alessi, Advocate, a member of its own Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Mario Cervino, Legal Adviser to the Commission, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by failing to adopt, within the period laid down, the measures necessary to comply with Commission Directive 76/696/EEC of 27 July 1976 adapting to technical progress the Council Directive of 19 November 1973 on the approximation of the laws of the Member States relating to non-automatic weighing machines, the Italian Republic has failed to fulfil an obligation incumbent upon it under the Treaty;
2. Order the defendant to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the period for compliance expired on 30 July 1977.

**Action brought on 4 February 1980 by the Commission of the European Communities
against the Italian Republic**

(Case 44/80)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 4 February 1980 by the Commission of the European Communities, represented by Gian Piero Alessi, Advocate, a member of its own Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Mario Cervino, Legal Adviser to the Commission, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by failing to adopt, within the period laid down, the measures necessary to comply with either Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers, or Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers, the Italian Republic has failed to fulfil an obligation incumbent upon it under the Treaty;
2. Order the defendant to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the period for compliance expired on 19 December 1977.

**Action brought on 4 February 1980 by the Commission of the European Communities
against the Italian Republic**

(Case 45/80)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 4 February 1980 by the Commission of the European Communities, represented by Gian Piero Alessi, Advocate, a member of its own Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Mario Cervino, Legal Adviser to the Commission, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that by failing to adopt, within the period laid down, the measures necessary to comply with Council Directive 76/767/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods for inspecting them, the Italian Republic has failed to fulfil an obligation incumbent upon it under the Treaty;
2. Order the defendant to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the period for compliance expired on 30 January 1978.

**Action brought on 5 February 1980 by the Commission of the European Communities
against the Kingdom of Belgium**

(Case 48/80)

An action against the Kingdom of Belgium was brought before the Court of Justice of the European Communities on 5 February 1980 by the Commission of the European Communities, represented by M. Beschel and A. Haagsma, Advocates, with an address for service in Luxembourg at the office of its Legal Adviser, Mario Cervino, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that, by not having brought into force within the periods specified all the laws, regulations and administrative provisions needed in order to comply with the provisions of Council Directive 70/156/EEC on the type-approval of motor vehicles and their trailers or that in so far as such measures have already been brought into force they are not adequate to comply with the provisions of that directive, the Kingdom of Belgium has failed to fulfil its obligations under the Treaty;
2. Order the Kingdom of Belgium to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80. The Kingdom of Belgium has failed in part to fulfil its obligations.

**Action brought on 5 February 1980 by the Commission of the European Communities
against the Kingdom of Belgium**

(Case 49/80)

An action against the Kingdom of Belgium was brought before the Court of Justice of the European Communities on 5 February 1980 by the Commission of the European Communities, represented by M. Beschel and A. Haagsma, Advocates, with an address for service in Luxembourg at the office of its Legal Adviser, Mario Cervino, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

1. Declare that, by not having brought into force within the periods specified the laws, regulations and administrative provisions needed in order to comply with the provisions of Council Directive 76/767/EEC on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them, the Kingdom of Belgium has failed to fulfil an obligation under the Treaty;
2. Order the Kingdom of Belgium to pay the costs.

The principal submissions and arguments are similar to those relied on in Case 38/80; the period for effecting the approximation expired on 30 January 1978.

Action brought on 6 February 1980 by Elio Bevere against the Commission of the European Communities

(Case 52/80)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 6 February 1980 by Elio Bevere, residing at 1 Rue Glesener, Luxembourg, represented by Ernest Arendt, Advocate at the Luxembourg Bar, with an address for service in Luxembourg at the Chambers of the said Ernest Arendt, Centre Louvigny, Rue Philippe II.

The applicant claims that the Court should:

- Hold that the application is in due form and consequently declare it to be admissible;
- In regard to its substance, find the action justified and accordingly annul the implied decision of rejection at issue; and
- Authorize the applicant to publish his article 'Burro, latte e . . . soia' in a periodical of his choice;
- Order the defendant to pay to the applicant one unit of account by way of nominal damages;
- In any event order the defendant to pay the costs.

Grounds and principal submissions

- Breach of the Staff Regulations (second paragraph of Article 17 and Article 25): the appointing authority has failed to state in what way the applicant's article is liable to prejudice the interests of the Communities;
- Breach of fundamental rights: the applicant is entitled to freedom to hold opinions having regard to the fact that his article does not fall within any of the permissible restrictions listed in Article 10 (2) of the Convention for the Protection of Human Rights and Fundamental Freedoms, which forms part of the 'common constitutional heritage' of the Member States;
- Misuse of powers;
- The applicant has suffered non-material damage as a result of the Administration's conduct and the considerable delay in publication.

Reference for a preliminary ruling by the Gerechtshof, Amsterdam, by judgment of that court of 13 December 1979 in the case of *Officier van Justitie v. Koninklijke Kaasfabriek Eysen BV*

(Case 53/80)

Reference has been made to the Court of Justice of the European Communities by a judgment of the Gerechtshof [Regional Court of Appeal], Fifth Chamber, Amsterdam, of 13 December 1979, which was received at the Court Registry on 7 February 1980, for a preliminary ruling in the case of *Officier van Justitie v. Koninklijke Kaasfabriek Eysen BV* on the following question:

Having regard to the following facts:

- A Netherlands producer of processed cheese produces such cheese both for his home market and for export to other EEC countries; and

Adds an antibiotic, nisin, to the processed cheese which he produces, in order to increase its keeping qualities; and

Nisin must be considered to be not absolutely but relatively (slightly) harmful to human health; and

The producer adds nisin to processed cheese in a quantity which remains below that regarded as permissible by the recommendation of September 1976 by the FAO/WHO committee of government experts; and

Whilst such an additive is permitted in a number of EEC Member States, but not in several others, and whilst furthermore the Directive of the Council of the EEC of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (Official Journal, English Special Edition, 1963-1964, p. 99) gives Member States the freedom to permit nisin as an additive or to prohibit it;

Must the requirements contained in the EEC Treaty regarding the freedom of movement of goods within the EEC, notwithstanding the provision in Article 36 of the Treaty regarding a prohibition which is justified on the grounds of the protection of health and the life of humans, be construed to the effect that a provision as contained in Article 8 (h) of the Processed Cheese Order containing a prohibition on the presence of additives, including nisin, in processed cheese other than those which the order permits or for which an exemption is granted, is incompatible with those requirements in its entirety or at least as regards the prohibition of adding nisin to processed cheese in respect of both home-produced cheese spread and cheese spread imported into the Netherlands; does it make any difference to the answer that as regards the addition of nisin to processed cheese such exemption is granted only for processed cheese which is clearly intended for export?

Reference for a preliminary ruling by the Bundesgerichtshof by order of that court of 19 December 1979 in the case of Firma Musik-Vertrieb membran GmbH v. GEMA — Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte

(Case 55/80)

Reference has been made to the Court of Justice of the European Communities by an order of the Bundesgerichtshof [Federal Court of Justice], First Senate, of 19 December 1979, which was received at the Court Registry on 13 February 1980, for a preliminary ruling in the case of Firma Musik-Vertrieb membran GmbH, represented by its Managers, Hans-Jürgen Jacobsen and Claus-Holger Lehfeldt, Hamburg v. GEMA — Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte — represented by its management, Managing Director Prof. Dr h.c. Erich Schulze, Berlin on the following question:

Is it compatible with the provisions concerning the free movement of goods (Article 30 *et seq.* of the EEC Treaty) for a management company entrusted with the exploitation of copyrights to exercise the exclusive rights held by the composer in Member State A to the transcription of his musical works onto sound recordings, their reproduction and marketing in such a way as to require, in respect of the marketing in Member State A of sound recordings which have been produced and placed on the market in Member State B — the composer's authorization being however restricted to Member State B against payment of a licence fee which is calculated on the quantity and final selling price relevant to that Member State — a payment which is equal to the customary licence fee in respect of production and marketing in Member State A, but which takes into account the (lower) licence fee which has already been paid in respect of production and marketing in Member State B?

Reference for a preliminary ruling by the Bundesgerichtshof by order of that court of 19 December 1979 in the case of Firma K-tel International v. GEMA — Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte

(Case 57/80)

Reference has been made to the Court of Justice of the European Communities by an order of the Bundesgerichtshof [Federal Court of Justice], First Senate, of 19 December 1979, which was received at the Court Registry on 13 February 1980, for a preliminary ruling in the case of Firma K-tel International, represented by its sole manager, Jens R. Boldt, Frankfurt am Main v. GEMA — Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte — represented by its management, Managing Director Prof. Dr h.c. Erich Schulze, Munich on the following question:

Is it compatible with the provisions concerning the free movement of goods (Article 30 *et seq.* of the EEC Treaty) for a management company entrusted with the exploitation of copyrights to exercise the exclusive rights held by the composer in Member State A to the transcription of his musical works onto sound recordings, their reproduction and marketing in such a way as to require, in respect of the marketing in Member State A of sound recordings which have been produced and placed on the market in Member State B — the composer's authorization being however restricted to Member State B against payment of a licence fee which is calculated on the quantity and final selling price relevant to that Member State — a payment which is equal to the customary licence fee in respect of production and marketing in Member State A, but which takes into account the (lower) licence fee which has already been paid in respect of production and marketing in Member State B?

Removal from the Register of Case 132/79 (1)

By order of 30 January 1980 the Court of Justice of the European Communities ordered the removal from the Register of Case 132/79: Commission of the European Communities against the Federal Republic of Germany.

(1) OJ No C 233, 15. 9. 1979.

Removal from the Register of Case 735/79 (1)

By order of 30 January 1980 the Court of Justice of the European Communities ordered the removal from the Register of Case 735/79 (reference for a preliminary ruling made by the Landgericht Düsseldorf): Firma Saatzucht Steinach against Firma GVS, Gesellschaft für Erwerb und Verwertung landwirtschaftlicher Pflanzensorten mbH.

(1) OJ No C 304, 4. 12. 1979.

Removal from the Register of Case 732/79 (*)

By order of 31 January 1980 the Court of Justice of the European Communities (Second Chamber) ordered the removal from the Register of Case 732/79: Andreas Reinarz against Commission of the European Communities.

(*) OJ No C 304, 4. 12. 1979.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation amending for the third time the Financial Regulation of 21 December 1977 as regards the use of the ECU in the general budget of the European Communities

(Submitted by the Commission to the Council on 13 December 1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78h thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 209 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Auditors,

Whereas, pursuant to Article 10 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾, as last amended by Regulation (EEC) No . . . , the budget is drawn up in European units of account (EUA) defined by reference to the sum of specified amounts of the currencies of the Member States,

Whereas Council Regulation (EEC) No 3180/89 ⁽²⁾ defined a new unit of account known as the ECU;

Whereas steps should be taken to standardize the units of account used by the Communities, and

whereas the EUA should therefore be replaced by the ECU;

Whereas the composition of the ECU may be changed subsequently in the context of the European Monetary System,

HAS ADOPTED THIS REGULATION:

Article 1

The Financial Regulation is hereby amended as follows:

1. Article 10 shall be replaced by the following:

Article 10

1. The Budget shall be drawn up in ECU.

The ECU shall be defined by reference to the sum of specified amounts of the currencies of the Member States as set out in Council Regulation (EEC) No 3180/78 of 18 December 1978 changing the value of the unit of account used by the European Monetary Cooperation Fund ⁽³⁾, ⁽⁴⁾.

Any change in the definition of the ECU decided on by the Council in the context of the European Monetary System shall automatically apply to this provision.

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽²⁾ OJ No L 379, 30. 12. 1978, p. 1.

⁽³⁾ OJ No L 379, 30. 12. 1978, p. 1.

⁽⁴⁾ On the entry into force of this Regulation, such amounts are as follows:

DM 0·828, £ 0·0885, FF 1·15, Lit 109, Fl 0·286, Bfrs 3·66, Lfrs 0·14, Dkr 0·217, £Irl 0·00759.

2. The value of the ECU in any given currency shall be equal to the sum of the equivalents in that currency of the amounts of the currencies making up the ECU. It shall be determined by the Commission on the basis of the rates recorded each day on the exchange markets.

The daily rates for the purpose of conversion into the various national currencies shall be available each day and shall be published in the *Official Journal of the European Communities*.

3. Where appropriate, conversions between the ECU and national currencies shall be effected at the rate of the day, without prejudice to the special provisions laid down in Article 108 (7).¹

2. In Articles 26, 30, 52 (a), 54, 56, 57, 63, 94 (4) and (5), and 108 (7) 'European units of account' shall be replaced by 'ECU'.

Article 2

This Regulation shall enter into force on 1 January 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Proposal for a Council Regulation (EEC, Euratom) on the replacement of the European unit of account by the ECU in Community legal instruments

(Submitted by the Commission to the Council on 13 December 1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Council Regulation (EEC) No 3180/78 ⁽¹⁾ defined a new unit of account known as the ECU;

Whereas steps should be taken to standardize the units of account used by the Communities, and whereas the EUA should therefore be replaced by the ECU in all Community legal instruments;

Whereas a provision should be included in order to safeguard, when the EUA is replaced by the ECU,

rights and obligations contracted in European units of account,

HAS ADOPTED THIS REGULATION:

Article 1

In all Community legal instruments applying at the time of entry into force of this Regulation, 'European unit of account' shall be replaced by 'ECU'.

Article 2

The definition of the European unit of account in force before the entry into force of this Regulation shall continue to apply to rights and obligations arising before the entry into force of this Regulation which were determined in European units of account.

Article 3

This Regulation shall enter into force on 1 January 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ No L 379, 30. 12. 1978, p. 1.

CORRIGENDA

Corrigendum to Case 22/80: Reference for a preliminary ruling by the Amtsgericht Schöneburg by order of that court of 24 November 1979 in the action for debt between Boussa Saint-Frères SA and Brigitte Gerstenmeier

(Official Journal of the European Communities No C 25 of 1 February 1980)

for: 'Firma Boussa Saint-Frères SA',

read: 'Firma Boussac Saint-Frères SA'.

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La nature spécifique de la Communauté conduit à l'élaboration d'un droit communautaire spécifique et distinct du droit international et des droits nationaux classiques. Ainsi est posé le problème de l'insertion du droit communautaire au regard du droit national et international. L'ordre juridique international contemporain, matérialisé par les relations multinationales dans le cadre interétatique ou des organisations internationales, ne reconnaît pas le fait communautaire. Cela explique que, dans ces deux cadres, l'affirmation de la présence communautaire et sa participation à la vie internationale s'est réalisée progressivement, par paliers, de manière empirique sans suivre un modèle préalable. Dans ces conditions la présente publication, par ses tableaux et ses textes de base en annexe, doit contribuer à la perception de cette évolution.

Cet ouvrage permettra une évaluation de l'importance des relations internationales de la Communauté, par l'analyse des liens établis entre la Communauté et les organisations internationales, d'une part, et l'étude des accords multilatéraux auxquels la Communauté est partie d'autre part.

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**THE EUROPEAN COMMUNITY, INTERNATIONAL ORGANIZATIONS
AND MULTILATERAL AGREEMENTS**

300 pages, EN, FR

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Because of its specific nature the Community has evolved a corpus of specific Community law that is distinct from traditional international and national law. Where then does Community law stand in relation to national and international law? The present international legal order, as embodied in the multilateral relations between States or in the context of international organizations, does not recognize the existence of the Community. That explains why, in those two contexts, in order to make its presence felt and to participate in the international scene the Community has had to move ahead in progressive stages on an empirical basis, without having an earlier model to follow. This publication, with its tables and annexes containing the basic texts, is intended to help understand that development.

It analyzes the links established between the Community and the international organizations and studies the multilateral agreements to which the Community is a party, thus enabling an assessment to be made of the importance of the Community's international relations.

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La Communauté européenne représente un « marché commun » de près de 260 millions de consommateurs. Elle est le plus gros marché d'importation du monde. Ce marché commun dispose de règles et de dispositions d'importation communes, qui sont valables pour toute la Communauté et importantes pour les exportateurs des pays tiers. Les plus importantes parmi ces règles sont les dispositions douanières (tarif douanier commun, régimes préférentiels), les règles d'origine et les dispositions relatives aux produits agricoles. D'autre part, certaines règles et disposition ne sont pas, ou pas encore « communautarisées », mais appliquées d'une manière différente par les neuf pays membres de la Communauté, par exemple : la taxe sur la valeur ajoutée (TVA), les normes techniques et sanitaires. Dans le présent guide l'exportateur étranger trouvera les informations les plus importantes concernant le marché commun et sur ses règles d'importation. Il aura ainsi un aperçu général de toutes les questions qui peuvent l'intéresser pour son entreprise commerciale. Le guide donne aussi des indications sur les sources de renseignements. Finalement, il donne aux exportateurs certaines adresses utiles ainsi que quelques données fondamentales sur les neuf pays membres de la Communauté.

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The European Community is a 'common market' of nearly 260 million consumers. It is the biggest import market in the world. This common market has common import rules and arrangements, which apply throughout the Community and are of importance to exporters in non-member countries. The most important of these rules are the customs arrangements (Common Customs Tariff, preferential arrangements), the rules of origin and the provisions relating to agricultural products. Certain rules and provisions are not, or at least not yet, 'Communitized' but are applied in different ways by the nine member countries of the Community (examples are value added tax (VAT) and technical and health standards). In the following guide the foreign exporter will find what he needs to know about the common market and its import rules. He will thus have at his disposal a general outline of all the matters which may be relevant to his business. The guide also gives details of the sources of information used. Lastly, it gives exporters a number of useful addresses and a certain amount of basic data on the nine member countries of the Community.

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